UNITED STATES PATENT AND TRADEMARK OFFICE

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10/785,189	02/25/2004	Thanh Vinh Vuong	16813-13US	7413

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EXAMINER
COLUCCI, MICHAEL C

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/785,189	VUONG, THANH VINH
	Examiner	Art Unit	
	Michael C. Colucci	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,5-9,12,15,16 and 20-25* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1,5-9,12,15,16 and 20-25* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>25 February 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All b)☐ Some * c)☐ None of:
   1.☐ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date <u>12/01/06, 11/12/04, 02/25/04</u>.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1, 5-9, 12, and 15-16 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2.   Claim 16 objected to because of the following informalities: Claim 16 states a

dependency "The mobile device of claim 13" on a cancelled claim 13, where a similar

limitation has been inserted into claim 12. Therefore examiner construes the

dependency of claim 16 to read as "The mobile device of claim 12", however

appropriate correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4.   Claim 1 and 9 rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one

skilled in the relevant art that the inventor(s), at the time the application was filed, had

possession of the claimed invention. Claims 1 and 9 contain the limitation "stopping the

continual monitoring of the text-based communication upon detecting an indication that

the text-based communication is to be sent".

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 7-9, 12, 15-16 rejected under 35 U.S.C. 103(a) as being unpatentable

over Christy et al US PGPUB 2002/0002452 A1, (herein after Christy) in view of

Pazandak et al US 7027975 B1 (hereinafter Pazandak).

Re claims 1 and 9, Christy teaches in a wireless communications device enabled

for communication in a wireless communications network ([0043]), a method of

translating a portion of a text-based communication to be transmitted from the wireless

device ([0069] & Fig. 4 item 450), comprising:

receiving and associatively storing with the indicated text a translation thereof,

from a first language to a second language ([0045]);

sending a translation request, the translation request configured for reception by

a translation service means and comprising the text to be translated ([0029]);

sending the text-based communication after a response has been received for

each prompt (Fig. 3 items 310, 320, and 340).

However, Christy fails to teach determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence, of a trigger symbol, the trigger symbol indicating which text to translate (Pazandak col 25 line 40-49);

stopping the continual monitoring of the text-based communication upon detecting an indication that the text-based communication is to be sent (Pazandak col 13 line 3-13);

providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation (Pazandak col 44 line 3-43);

Pazandak teaches grammars, lexicons and translations that can be edited in a text editor or in a specialized LL editor that can additionally check rules for well formedness and connectedness to insure all terminals and non-terminals are accessible from the grammar start symbol.

NOTE: Terminal and non-terminal symbols are construed to be surrounded by characters that are used to distinguish between terminal and non-terminal symbols, where a non-terminal symbol or a terminal symbol is functionally equivalent and equally effective as a trigger symbol surrounded by a separator (i.e. ".." <....>"), where a start symbol or stop symbol would consist of a non-terminal or terminal symbol that is recognized by a processor during communication.

Additionally, Pazandak teaches an active list of the at least one of the next allowed query constituent based on previous partial query constituent input and an

explicit call to the system from the target application, where a remote element from a client receives the next allowed query constituent.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention monitoring communication data and recognizing a trigger symbol to begin translation and a stop symbol to end translation, where a translation can be transmitted. It is also obvious to have storage in the form of prompts displaying previous translations. Translating languages using start and stop trigger symbols would be necessary for a system to function properly when a user requests that data start or start, such as a user sending a non-terminal symbol by pressing a key on a keyboard, where "start" can be transmitted. Storing previous data would allow for a system to recognize allowed and not allowed information that can be sent for translation producing a system that responds faster and restores a state during a request mode.

Re claim 7, Christy teaches the method of claim 1 comprising maintaining a store of portions of text and respective replacements on said communications device; and using said store to determine the replacement ([0018]).

Re claim 8, Christy teaches the method of claim 7 wherein said portions of text and respective replacements ([0018]) are defined by prior translations ([0069]) performed using the communications device.

Re claim 12, Christy teaches a mobile device for wirelessly communicating text-based communications ([0069] & Fig. 4 item 450) configured for use in a communications network ([0043]), the mobile device comprising:

a composition component to compose text ([0070]) for communicating wirelessly in a text-based communication ([0069] & Fig. 4 item 450);

transmitting a translation request to a translation service means ([0029]) coupled to the wireless communications device ([0069] & Fig. 4 item 450), the translation service means translating, the text to be translated from a first language to a second language ([0045]);

receiving the translated text in the second language at the wireless communications device (Fig. 4 item 440 and 450);

sending the message once it is determined that there are no replacement translated portions ([0018]) of text requiring a response ([0068]).

However Christy fails to teach a translation component configured for determining text of the text-based communication to be translated from a trigger symbol associated with the portion whilst the communication is being composed, the portion of text to be translated being indicated by at least one trigger symbol placed adjacent the portion (Pazandak col 25 line 40-49);

continually monitoring to determine whether a send message request is received on the wireless communications device (Pazandak col 5 line 25-59);

monitoring the text-based communication for the presence of a trigger symbol

(Pazandak col 25 line 40-49) if it is determined that a send message request has not

been received (Pazandak col 5 line 25-59);

sending a request for the translation of the portion of text automatically (Pazandak

col 5 line 25-59) from the wireless communications device to the translation service

means upon determining the presence of the at least one trigger symbol whilst the

communication is being composed (Pazandak col 18 line 23-38);

providing a prompt (Pazandak col 7 line 27-40) to receive a response for each

replacement translated portion of text if it is determined that a send message request

has been received (Pazandak col 6 line 16-25);

Pazandak teaches grammars, lexicons and translations that can be edited in a

text editor or in a specialized LL editor that can additionally check rules for well

formedness and connectedness to insure all terminals and non-terminals are accessible

from the grammar start symbol.

NOTE: Terminal and non-terminal symbols are construed to be surrounded by

characters that are used to distinguish between terminal and non-terminal symbols,

where a non-terminal symbol or a terminal symbol is functionally equivalent and equally

effective as a trigger symbol surrounded by a separator (i.e. ".." <....>"), where a start

symbol or stop symbol would consist of a non-terminal or terminal symbol that is

recognized by a processor during communication.

Pazandak teaches a client-server system or function is to be broadly construed to

include any and all communicative arrangements in which elements, devices, or

components intercommunicate, directly or through intermediary systems, by generation

of a request, receipt of the request, generation of a response, and occurrence of the

response. Pazandak teaches a server element that is capable of functioning to receive

a communicated request and appropriately respond.

NOTE: A receipt is construed to be functionally equivalent and effective to the

notification of whether a transmission of a translation has been received or not.

Pazandak teaches that a client can include a target application that receives a

translation of a query or command corresponding to the input to the client and returns

results, including status messages, for example, for display on the client. Additionally

Pazandak teaches the termination of a request, where a user can choose to execute the

request in a background mode, or the request can be terminated by the server or

network connection. The user can meanwhile asynchronously initiate other commands

or other task operations simultaneously. Pazandak teaches status messages received

from the application (e.g., Query being translated . . . , Connecting to DBMS . . . ,

Query being executing . . . , Returning response . . .)

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention monitoring communication data and recognizing a trigger symbol to

begin translation and a stop symbol to end translation, where a translation can be

transmitted. It is also obvious to utilize a trigger symbol in relation to a receipt to

indicate if a signal has or has not been received, where the receiving of a signal

indicates that a translation has taken place and a user will be notified. Translating

languages using start and stop trigger symbols would be necessary for a system to

function properly when a user requests that data start or start, such as a user sending a non-terminal symbol by pressing a key on a keyboard, where "start" can be transmitted. Storing previous data would allow for a system to recognize allowed and not allowed information that can be sent for translation producing a system that responds faster and restores a state during a request mode. Providing a receipt of whether a message was received or not allows for faster operation by a user as well as the avoidance of a redundant transmission of data since the user will be aware when data is sent or received, thus indicating a proper translation.

Re claim 15, Christy teaches the mobile device of claim 12 wherein the translation component comprises a user interface to confirm the replacement to replace the portion ([0068]).

Re claim 16, Christy teaches the mobile device of claim 12 wherein the translation component is adapted to obtain at least one alternative replacement ([0059]) from said translation service and wherein said user interface is adapted to confirm a one of the at least one alternative replacement to replace the portion ([0068]).

7.   **Claims 5-6 and 20-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Christy et al US PGPUB 2002/0002452 A1, (herein after Christy) in view of**

Pazandak et al US 7027975 B1 (hereinafter Pazandak) and further in view of Abir USPGPUB 20040122656 A1 (hereinafter Abir).

Re claims 20, 22, and 24, Christy in view of Pazandak fails to teach the method of claim 1, wherein a response to a replacement translated portion of text comprises any of:

an 'accept translation' whereby said replacement translated portion of text is used to replace a corresponding original portion (Abir [0302]) of the text based communication (Abir [0296]);

a 'reject translation' whereby an original portion of the text based communication corresponding to said replacement translated portion is retained instead of replacing it with said replacement translated portion of text (Abir [0296]); or

a 'reject and ask for more' whereby a further request for translation of an original portion of text of the text based communication is formulated and sent to the translation service means to obtain one or more further replacement translated portions of text (Abir [0296]), the method further comprising providing a further prompt to receive a response to said one or more further replacement translated portions of text (Abir [0302]).

Abir teaches that if a Source document is parsed only in segments of word strings with full overlap of all words of each word string, and the far left and far right word string translations are known to be accurate, no Target Language translation candidate will be accepted that is incorrect for either semantic or grammatical reasons. Additionally, Abir teaches user-defined criteria when building word string translations

that may be more stringent when accepting a first or last word string as a translation., where the system identifies semantically equivalent word strings can be employed to confirm the translations of any word string (by providing additional checks of translations of Source and/or Target Language synonyms).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention accepting a translation that will replace the original portion of text where the user also has the option of rejecting the translation and/or selecting a synonym instead. Having the ability to accept or reject a translation would allow for a more efficient method of producing a database of user desired translations, where time and memory will be preserved to user specific dependent language constraints. Additionally, having an automated language understanding system would allow for a more user oriented natural language interface.

Re claim 5, Christy teaches the method of claim 20 wherein said replacing comprises confirming the replacement ([0059]).

Re claim 6, Christy teaches the method of claim 5 wherein confirming the replacement comprises obtaining at least one alternative replacement ([0068]) from said translation service and wherein said replacing comprises replacing using a one of the at least one alternative replacement ([0059]).

Re claims 21, 23, and 25, Christy in view of Pazandak fails to teach the method of claim 20, wherein the further prompt enables a selection of one of said one or more

further replacement translated portions of text to replace a corresponding original portion of the text based communication or to reject all of said one or more further replacement translated portions of text whereby said corresponding original portion of text is retained (Abir [0296]).

Abir teaches that if a Source document is parsed only in segments of word strings with full overlap of all words of each word string, and the far left and far right word string translations are known to be accurate, no Target Language translation candidate will be accepted that is incorrect for either semantic or grammatical reasons. Additionally, Abir teaches user-defined criteria when building word string translations that may be more stringent when accepting a first or last word string as a translation., where the system identifies semantically equivalent word strings can be employed to confirm the translations of any word string (by providing additional checks of translations of Source and/or Target Language synonyms).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention accepting a translation that will replace the original portion of text where the user also has the option of rejecting the translation and/or selecting a synonym instead. Having the ability to accept or reject a translation would allow for a more efficient method of producing a database of user desired translations, where time and memory will be preserved to user specific dependent language constraints. Additionally, having an automated language understanding system would allow for a more user oriented natural language interface.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. US 5991713 A, US 5303150 A, US 5787386 A, US 20040181390

A1, US 20040068411 A1, US 7194455 B2, US 6233545 B1, US 20020194300 A1, US

6161082 A, US 6732341 B1.

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael C. Colucci whose telephone number is (571)-

270-1847. The examiner can normally be reached on 9:30 am - 6:00 pm, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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